

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

BENETRIA McGOWAN and
JARRETT ENGLISH,

Plaintiffs,

v.

Case No. 19-cv-781-BHL

CITY OF MILWAUKEE, et al.,

Defendants..

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56 and Civil L.R. 56(b)(1)(A), Plaintiffs Jarrett English and Benetria McGowan hereby move for partial summary judgment to hold Defendants, six current and former members of the Milwaukee Police Department¹ and the City of Milwaukee, liable for false arrest, for excessive use of force, and for violations of their rights to freedom of association and expression. Plaintiffs also seek an order declaring the Defendant City of Milwaukee (“City”) liable for its policy, adopted by its final policy makers, of ordering dispersal of groups of people that did not satisfy the definition of an unlawful assembly and arresting those who failed to disperse. In support of this motion, Plaintiffs also file this date a brief in support of the motion, Plaintiffs’ Proposed Findings of Undisputed Facts, and the declarations of Jarrett English, Benetria McGowan, Laurence Dupuis and R. Timothy Muth and the evidentiary materials attached to those declarations.

¹ Those members include former Assistant Chief James Harpole on all claims. Regarding Plaintiff McGowan’s claims, they also include Officers Rebecca Wallich (then known as Rebecca Rodriguez), Nesrodene Ghassoul and Brian Laroque. Regarding Plaintiff English’s claims, they also include Ghassoul, Sergeant Raymond Brock, and Officer Andrew Wilkiewicz.

Plaintiffs request a trial on other issues, including damages and injunctive relief, as well as on the existence of a widespread practice or custom of using unlawful dispersal orders to suppress mass First Amendment activity.

Dated this 21st day of December, 2020.

By: /s/ A. Steven Porter
A. Steven Porter
State Bar No. 1000195
Attorney for Plaintiffs

P.O. Box 7093
Madison, Wisconsin 53707
(608) 662-2285
(608) 819-6466 (fax)
asp5949@gmail.com

AMERICAN CIVIL LIBERTIES UNION OF
WISCONSIN FOUNDATION, INC.

By: /s/ Laurence J. Dupuis
Asma Kadri Keeler
State Bar No. 1114761
R. Timothy Muth
State Bar No. 1010710
Emma Shakeshaft
State Bar No. 1092046
Laurence J. Dupuis
State Bar No. 1029261
Attorneys for Plaintiffs

207 E. Buffalo Street, Room 325
Milwaukee, Wisconsin 53202
(414) 272-4032
(414) 272-0182 (fax)
akadri@aclu-wi.org
ldupuis@aclu-wi.org